

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MICROSOFT CORPORATION,

11 Civ. 02365 (RJH)

Plaintiff,

- against -

DATATERN, INC.,

Defendant.

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SAP AG and SAP AMERICA, INC.,

11 Civ. 02648 (RJH)

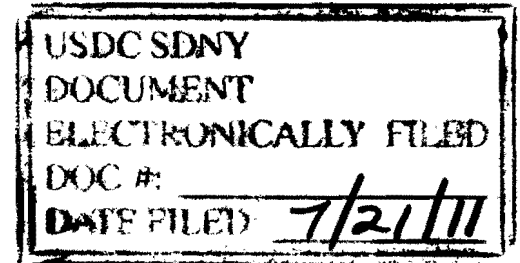
Plaintiffs,

- against -

DATATERN, INC.,

Defendant.

----- x



SCHEDULING ORDER

The Court hereby adopts the following case management plan:

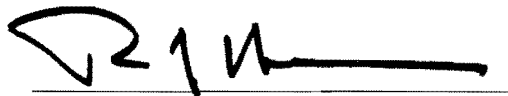
1. The parties shall make their Rule 26(a)(1) initial disclosures by September 2, 2011.
2. The parties shall exchange patent claim terms for construction by September 30, 2011.
3. The parties shall exchange proposed claim constructions for each claim in dispute by October 28, 2011.
4. The parties shall identify claim construction experts by December 2, 2011.
5. Depositions of claim construction experts shall be completed by January 20, 2012.

6. The parties shall exchange and file opening claim construction briefs by February 17, 2012.
7. The parties shall exchange and file responsive claim construction briefs by March 16, 2012.
8. The parties shall exchange and file reply claim construction briefs by March 30, 2012.
9. A claim construction hearing shall be held in April 2012, or on such date as may be convenient for the Court.
10. Fact discovery shall be completed by June 29, 2012.
11. The parties shall exchange expert reports by July 27, 2012.
12. The parties shall exchange responsive expert reports by August 24, 2012.
13. Expert discovery shall be completed by September 21, 2012.
14. Any motions for summary judgment shall be filed by October 19, 2012.
15. The date for the filing of a final pretrial order is to be determined.

Discovery pursuant to this case management plan shall not be stayed pending the Court's disposition of Datatarn's anticipated motion to dismiss or to stay.

SO ORDERED.

Dated: New York, New York
July 19, 2011



Richard J. Holwell
United States District Judge